

Introduced by Senator Soto

February 8, 2005

An act to ~~amend Section 50265 of the Government Code~~ *add Article 9 (commencing with Section 49055) to Chapter 6 of Part 27 of the Education Code*, relating to ~~local human relations commissions~~ *pupils*.

LEGISLATIVE COUNSEL'S DIGEST

SB 161, as amended, Soto. ~~Local human relations commissions~~ *California Youth Access to Information Act*.

~~Existing law authorizes cities and counties to create commissions on human relations with the responsibility to, among other things, foster mutual respect and understanding among all racial, religious, and nationality groups in the community, inquire into incidents of tension and conflict among or between these groups, hold conferences and other public meetings in the interest of resolution of these tensions, and enlist the cooperation and participation of these groups and others, as specified, to foster mutual esteem, justice, and equity.~~

~~This bill would make a technical, nonsubstantive change to that authorization.~~

Existing law establishes certain rights relating to a child's ability to consent to certain medical care, rights relating to adoption procedures, and rights relating to criminal procedure. Existing law also provides pupils with certain rights relating to the attendance of safe schools, and the right to be free from discrimination in schools.

This bill would require the State Department of Education to develop and post on its Internet Web site a statement of these rights. The bill would authorize a school district to display this statement to pupils, with certain requirements.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. Section 50265 of the Government Code is amended to read:~~

SECTION 1. Article 9 (commencing with Section 49055) is added to Chapter 6 of Part 27 of the Education Code, to read:

*Article 9. CALIFORNIA YOUTH ACCESS TO
INFORMATION ACT*

49055. This article shall be known and may be cited as the California Youth Access to Information Act.

49056. (a) The Legislature finds and declares all of the following:

(1) California has the second highest rate in the nation of pregnancies among adolescents between 15 and 19 years of age.

(2) Eighty percent of adolescents who become pregnant drop out of school due to the pregnancy.

(3) Thirty-three percent of pupils in the state will not finish high school, resulting in 24 percent of California's adults being at the lowest literacy level.

(4) In a single year in California, nearly 6,000 young people are hospitalized for some form of violent injury, including assault, child abuse, domestic violence, and rape.

(5) Adolescents are nearly five times more likely to be victims of crime than adults over 35 years of age.

(6) Early formal and social education can increase the success rate of pupils, thereby promoting efficient use of resources and financial savings to the state.

(7) Access to information, resources, and support from parents and school staff can help reduce the rates of pregnancy, illiteracy, and violence among adolescents.

(b) It is the intent of the Legislature to enact legislation to ensure that the information required by the California Youth Access to Information Act is provided to pupils between 12 and 17 years of age, with the understanding the California's youth

1 *have a responsibility to themselves, to their peers, and to the*
2 *state.*

3 *49057. (a) The department shall prepare a statement of pupil*
4 *rights in both English and Spanish that shall include all of the*
5 *following statements:*

6 *(1) You have the right to consent to medical care related to the*
7 *prevention or treatment of pregnancy, pursuant to Section 6925*
8 *of the Family Code.*

9 *(2) If you may have come into contact with an infectious,*
10 *contagious, or communicable disease, you have the right to*
11 *consent to medical care related to the diagnosis or treatment of*
12 *that disease if you are 12 years of age or older, pursuant to*
13 *Section 6926 of the Family Code.*

14 *(3) You may consent to medical care related to the diagnosis*
15 *and treatment of an alleged sexual assault and the collection of*
16 *medical evidence with regard to the alleged sexual assault,*
17 *pursuant to Section 6928 of the Family Code.*

18 *(4) You may consent to medical care and counseling relating*
19 *to the diagnosis and treatment of a drug- or alcohol-related*
20 *problem if you are 12 years of age or older, pursuant to Section*
21 *6929 of the Family Code.*

22 *(5) You may consent to mental health treatment or counseling*
23 *on an outpatient basis if you are 12 years of age or older,*
24 *pursuant to Section 6924 of the Family Code.*

25 *(6) You have the inalienable right to attend classes on school*
26 *campuses that are safe, secure, and peaceful, pursuant to Section*
27 *32261.*

28 *(7) You have the right to be free from discrimination on the*
29 *basis of sex, ethnic group identification, race, national origin,*
30 *religion, color, mental or physical disability, or any actual or*
31 *perceived characteristic that is contained in the definition of hate*
32 *crimes set forth in Section 422.55 of the Penal Code, pursuant to*
33 *Section 220.*

34 *(8) You have the right to surrender your newborn child to a*
35 *hospital or a fire station within 72 hours of giving birth without*
36 *being asked any questions, pursuant to Section 271.5 of the*
37 *Penal Code.*

38 *(9) You have the right to change your mind about giving your*
39 *baby up for adoption, and to rescind the adoption, within 30 days*
40 *of relinquishing your child to the State Department of Social*

1 *Services or to a licensed adoption agency, pursuant to Section*
2 *8700 of the Family Code.*

3 *(10) You have the right to be read Miranda warnings prior to*
4 *any interrogation if you are taken into custody.*

5 *(b) The department may alter the statements contained in*
6 *subdivision (a) with regard to the reading and comprehension*
7 *level of pupils. The department shall not include additional*
8 *information intended to persuade pupils to make specific*
9 *decisions or remove any references to specific provisions of law*
10 *contained in the statements.*

11 *(c) The department shall post the statement developed*
12 *pursuant to subdivision (a) on its Internet Web site.*

13 *(d) A school district may display this statement at school*
14 *facilities. This statement shall be printed in no less than 12-point*
15 *bold type and shall be titled "California Youth Access to*
16 *Information Act."*

17 ~~50265. A commission on human relations created under the~~
18 ~~provisions of Section 50262 shall discharge all of the following~~
19 ~~obligations:~~

20 ~~(a) To hold conferences, and other public meetings, in the~~
21 ~~interest of the constructive resolution of tensions, prejudice, and~~
22 ~~disrimination among or between groups of people, including~~
23 ~~people subject to prejudice and discrimination due to race,~~
24 ~~religious creed, color, national origin, ancestry, physical~~
25 ~~disability, mental disability, marital status, gender, sexual~~
26 ~~orientation, socioeconomic status, civic interest, or any other~~
27 ~~factors.~~

28 ~~(b) To issue any publications and reports of investigation as in~~
29 ~~its judgment will tend to effectuate the purposes of this article.~~

30 ~~(c) To enlist the cooperation and participation of a variety of~~
31 ~~people, including people subject to prejudice and discrimination~~
32 ~~due to race, religious creed, color, national origin, ancestry,~~
33 ~~physical disability, mental disability, marital status, gender,~~
34 ~~sexual orientation, socioeconomic status, civic interest, or any~~
35 ~~other factors, industry and labor organizations, media or mass~~
36 ~~communication, fraternal and benevolent associations, and other~~
37 ~~groups in an educational campaign devoted to fostering among~~
38 ~~the diverse groups of the community mutual esteem, justice and~~
39 ~~equity.~~

- 1 ~~(d) To encourage and stimulate agencies under the jurisdiction~~
- 2 ~~of the local governing body that created the commission to take~~
- 3 ~~any action as will fulfill the purposes of this article.~~
- 4 ~~(e) To submit an annual report to the governing body.~~